

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

No. CR 02-1055 JB

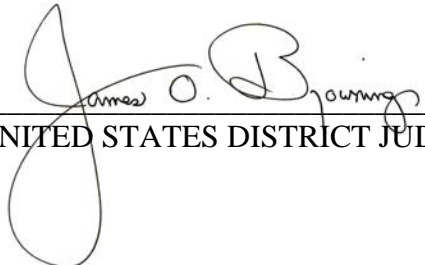
MICHAEL SEVENS MARTINEZ,

Defendant.

MEMORANDUM OPINION AND ORDER

THIS MATTER comes before the Court on the Defendant's Sentencing Memorandum, filed November 7, 2007 (Doc. 95). The Court held a sentencing hearing on November 9, 2007. The primary issue is whether the Court should accept the parties' rule 11(c)(1)(C) plea agreement of 300 months incarceration. For the reason stated at the hearing, and for further reasons consistent with those already stated, the Court will accept the plea agreement, and the judgment and sentence will be consistent with the agreement.

IT IS ORDERED that the Defendant's request for a sentence of 300 months in prison, for a five-year term of supervised release, for a recommendation that he participate in the Bureau of Prison's 500 hour drug and alcohol treatment program, for an order that he pay \$7,000 in restitution to the victim's daughter, and for a recommendation that he serve his time at an appropriate facility anywhere other than in Arizona or Colorado is granted.


UNITED STATES DISTRICT JUDGE

Counsel:

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